

Message Text

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ACTION EB-07

INFO OCT-01 AF-08 IO-13 ISO-00 OES-06 AGR-10 CEA-01

CIAE-00 COME-00 DODE-00 FRB-01 H-02 INR-07 INT-05

L-03 LAB-04 NSAE-00 NSC-05 PA-02 AID-05 CIEP-02 SS-15

STR-04 ITC-01 TRSE-00 PRS-01 SP-02 FEAE-00 OMB-01

OPIC-06 STRE-00 ARA-10 EA-09 EUR-12 NEA-10 XMB-04

OIC-02 SSO-00 NSCE-00 USIE-00 INRE-00 /159 W

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O R 251245Z MAY 76

FM AMEMBASSY NAIROBI

TO SECSTATE WASHDC IMMEDIATE 9999

INFO USDEL MTN GENEVA

UNCLAS SECTION 1 OF 2 NAIROBI 5362/1

UNCTAD - 101

PASS STR

E.O. 11652: N/A

TAGS: ETRD/MTN/UNCTAD

SUBJ: DRAFT MTN RESOLUTION

DRAFT RESOLUTION AS OF MAY 24 FOLLOWS. BRACKETED LANGUAGE
INDICATES AREAS WHERE THERE ARE STILL DISAGREEMENT. FURTHER
DISCUSSION OF TEXT WILL TAKE PLACE ON MAY 25.

NEGOTIATING GROUP II

AGENDA ITEM 10

THE CONFERENCE

1. RECOGNIZING THE VITAL ROLE OF INTERNATIONAL TRADE FOR THE
ECONOMIC DEVELOPMENT OF DEVELOPING COUNTRIES;
2. CONSIDERING THE RELEVANT PROVISION OF THE CHARTER OF ECONOMIC RIGHTS

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AND DUTIES OF STATES CONTAINED IN GENERAL ASSEMBLY RESOLUTION

3281 (XXIX);

3. RECALLING RESOLUTION 82 (III) OF THE CONFERENCE AND

RESOLUTIONS 3201 (S-VI) 3202 (S-IV), 3310 (XXIX), AND 3362 (

(S-VII), OF THE GENERAL ASSEMBLY;

4. RECALLING RESOLUTION 21 (II) OF THE CONFERENCE AND THE

AGREED CONCLUSIONS OF THE SPECIAL COMMITTEE ON PREFERENCES (75

(S-VI);

5. RECALLING FURTHER THE DECLARATION OF MINISTERS APPROVED AT
TOKYO ON 14 SEPTEMBER 1973 REGARDING THE UNDERTAKING OF COMPREHE-
NSIVE MULTILATERAL TRADE NEGOTIATIONS;

6. REAFFIRMING THE NEED TO SECURE ADDITIONAL BENEFITS FOR THE
INTERNATIONAL TRADE OF DEVELOPING COUNTRIES, AS ONE OF THE
MAJOR OBJECTIVES OF THE MULTILATERAL TRADE NEGOTIATIONS, SO AS TO
IMPROVE THE POSSIBILITIES FOR THESE COUNTRIES TO PARTICIPATE
IN THE EXPANSION OF WORLD TRADE;

7. REITERATING THE IMPORTANCE OF THE APPLICATION OF DIFFERE-
NTIAL MEASURES TO DEVELOPING COUNTRIES IN WAYS WHICH WILL PROVIDE
SPECIAL AND MORE FAVOURABLE TREATMENT FOR THEM IN AREAS OF THE
NEGOTIATIONS WHERE THIS IS FEASIBLE AND APPROPRIATE, AS A MEANS
OF ACHIEVING THE OBJECTIVES STATED ABOVE.

8. RECALLING THE PROVISIONS OF PARAGRAPHS 2, (5), AND 9 OF
THE TOKYO DECLARATION CONCERNING THE IMPROVEMENT IN THE INTER-
NATIONAL FRAMEWORK FOR THE CONDUCT OF WORLD TRADE PARTICULARLY
AS THEY CONCERN TRADE BETWEEN DEVELOPED AND DEVELOPING COUNTRIES.

1. NOTES WITH APPRECIATION THE REPORT TD/187 BY THE UNCTAD
SECRETARIAT ON THE DEVELOPMENTS IN THE MTN.

2. RECOGNIZES THE IMPORTANCE OF THE MTN FOR THE DEVELOPING COUN-
TRIES AND THE INTEREST FOR THESE COUNTRIES IN THE ACHIEVEMENT
OF THE SUCCESSFUL CONCLUSION OF THESE NEGOTIATIONS BY THE END
OF 1977 CONSISTENT WITH THE PRINCIPLES AND OBJECTIVES OF THE
TOKYO DECLARATION, IN SUCH A WAY AS TO SECURE ADDITIONAL
BENEFITS FOR THE INTERNATIONAL TRADE OF DEVELOPING COUNTRIES;

3. URGENTLY INVITES THE COUNTRIES PARTICIPATING IN THE NEGOTIA-
TIONS TO ENSURE THAT THE OBJECTIVES CONTAINED IN THE TOKYO
DECLARATION, IN PARTICULAR AS THEY CONCERN THE PROBLEMS OF DEVELO-
PING COUNTRIES, SHALL BE FULLY ACHIEVED;

4. UNDERLINES THE NEED TO MAKE RAPID PROGRESS IN EACH OF THE
SECTORS OF THE NEGOTIATIONS, PARTICULARLY WITH REGARD TO THE
PROBLEMS OF DEVELOPING COUNTRIES.

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5. REAFFIRMS THE NEED TO AVOID ANY INAPPROPRIATE BILATERALI-
ZATION OF THE NEGOTIATING PROCESS IN ORDER TO PRESERVE THE MULTI-
LATERAL CHARACTER OF THE TRADE NEGOTIATIONS.

6. URGES THE CONCRETE AND EXPEDITIOUS APPLICATION IN THE MTNS
OF DIFFERENTIAL MEASURES WHICH WOULD PROVIDE SPECIAL AND MORE
FAVOURABLE TREATMENT FOR DEVELOPING COUNTRIES IN ACCORDANCE
WITH THE PROVISIONS OF THE TOKYO DECLARATION;

7. (SUGGESTS THAT PARTICIPATING COUNTRIES CONSIDER IN THE

CONTEXT OF THE DEVELOPMENT OF GENERAL PROCEDURE AND WHERE THIS IS FEASIBLE AND DESIRABLE THE APPLICATION OF SPECIAL PROCEDURES TO THE NEGOTIATIONS WITH THE DEVELOPING COUNTRIES;)

(STRESSES THE NEED FOR AGREEMENT ON DIFFERENTIATED MEASURES FOR SPECIAL AND MORE FAVOURABLE TREATMENT TO DEVELOPING COUNTRIES, TO BE APPLIED TO NEGOTIATIONS IN SPECIFIC AREAS OF THE MULTI-LATERAL TRADE NEGOTIATIONS PRIOR TO OR AT THE SAME TIME AS AGREED ON GENERAL RULES OR PRINCIPLES FOR NEGOTIATIONS IN SUCH AREAS;)

(SUGGESTS THAT PARTICIPATING COUNTRIES CONSIDER IN THE CONTEXT OF AND PARALLEL WITH THE DEVELOPMENT OF APPROPRIATE GENERAL PROCEDURES THE DEVELOPMENT OF APPROPRIATE SPECIAL PROCEDURES FOR THE NEGOTIATIONS WITH THE DEVELOPING COUNTRIES;)

8. (UNDERLINES THAT IN THE SECTOR OF TROPICAL PRODUCTS WHICH IS RECOGNIZED AS A SPECIAL AND PRIORITY SECTOR, COUNTRIES PARTICIPATING IN THESE NEGOTIATIONS SHOULD AIM AT COMPLETING THEM BY THE END OF 1976 AND AT IMPLEMENTING THE RESULTS THEREOF AS SOON AS POSSIBLE;)

(UNDERLINES THAT SPECIAL PRIORITY IN THE SCOPE, CONTENT AND DEPTH OF CONCESSIONS RELATING TO BOTH TARIFF AND NON-TARIFF MEASURES FOR TROPICAL PRODUCTS REQUESTED BY DEVELOPING COUNTRIES SHOULD BE ASSURED AT THE EARLIEST POSSIBLE DATE IN ACCORDANCE WITH PARAGRAPH ABOVE, ON A NON-RECIPROCAL BASIS, AND AS APPROPRIATE, ON A PREFERENTIAL BASIS;)

9. STRESSES THE NEED TO ENSURE THAT LEAST DEVELOPED COUNTRIES RECEIVE SPECIAL TREATMENT IN THE CONTEXT OF ANY GENERAL OR SPECIFIC MEASURES TAKEN IN FAVOUR OF THE DEVELOPING COUNTRIES DURING THE NEGOTIATIONS.

10. URGES ALL COUNTRIES PARTICIPATING IN THE MTNS, (PARTICULARLY DEVELOPED COUNTRIES,) TO ENSURE:

(A) (STRICT ADHERENCE TO THE PRINCIPLE OF NON-RECIPROCITY. THE QUESTION OF THE CONTRIBUTION OF THE DEVELOPING COUNTRIES TO THE OVER-ALL OBJECTIVES OF THE NEGOTIATIONS CONSISTENT WITH THEIR UNCLASSIFIED

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TRADE, DEVELOPMENT AND FINANCIAL NEEDS SHOULD NOT BE CONSIDERED UNTIL THE OBJECTIVES AND COMMITMENTS OF THE TOKYO DECLARATION IN THEIR FAVOUR ARE ADEQUATELY FULFILLED;)

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INFO OCT-01 AF-08 IO-13 ISO-00 OES-06 AGR-10 CEA-01

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INFO USDEL MTN GENEVA

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(B) CONCLUSION OF THE TNC THAT NEGOTIATIONS SHALL COVER
ALL PRODUCTS OF PARTICULAR EXPORT INTEREST TO DEVELOPING COUNTRIES.

(C) (INCLUSION OF ALL DEVELOPING COUNTRIES MEMBERS OF THE GROUP
OF 77 IN THE GSP SCHEDULES;)

(D) THE MAINTENANCE AND IMPROVEMENT OF THE FSP;

(C) (PROVISION FOR DIFFERENTIAL TREATMENT FOR AND DEFERRED
COMPLIANCE BY, DEVELOPING COUNTRIES WITH THE PROVISIONS OF THE
CODES BEING ELABORATED IN THE MTNS;)

(F) WIDESPREAD RECOGNITION THAT SUBSIDIES AND COUNTERVAILING
DUTIES ARE AREAS WHERE SPECIAL AND DIFFERENTIATED TREATMENT
FOR DEVELOPING COUNTRIES IS BOTH FEASIBLE AND APPROPRIATE;

(G) (DEVELOPED COUNTRIES IMPLEMENT FULLY AND ADHERE STRICTLY
TO THE STANDSTILL PROVISIONS THEY HAVE ACCEPTED CONCERNING
IMPORTS FROM DEVELOPING COUNTRIES. ANY DEPARTURE SHOULD BE SUBJECTED
TO SUCH MEASURES AS CONSULTATIONS AND MULTILATERAL SURVEILLANCE
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AND COMPENSATION, IN ACCORDANCE WITH INTERNATIONAL AGREED CRITERIA
AND PROCEDURES.)

11. (URGES FURTHER ALL COUNTRIES PARTICIPATING IN THE MTNS TO
ENSURE THE CREATION IN THE TNC AT ITS NEXT MEETING, WITHOUT
PREJUDICE TO THE WORK BEING CARRIED OUT OR TO BE CARRIED OUT
IN FUTURE IN THE EXISTING NEGOTIATING GROUPS ON THE QUESTION

OF DIFFERENTIAL TREATMENT IN FAVOUR OF DEVELOPING COUNTRIES, OF A SUBSIDIARY GROUP TO DEAL WITH THE REFORM OF THE RELEVANT PROVISIONS OF THE GENERAL AGREEMENT INCLUDING PART IV, IN PARTICULAR IN ORDER TO PROVIDE ON A MANDATORY BASIS, FOR C DIFFERENTIATED AND MORE FAVOURABLE TREATMENT IN FAVOUR OF DEVELOPING COUNTRIES, AND FOR THE EXTENSION OF THESE PRINCIPLES TO THE EXISTING CODES AND THOSE THAT MAY BE DRAWN UP.) (SUGGESTS THAT CONSIDERATION BE GIVEN TO THE PROPOSAL FOR THE ESTABLISHMENT OF A GROUP TO FORMULATE IMPROVEMENTS IN THE INTERNATIONAL FRAMEWORK FOR THE CONDUCT OF WORLD TRADE WHICH MIGHT BE DESIRABLE IN THE LIGHT OF PROGRESS IN THE NEGOTIATIONS;) (REAFFIRMS THE NEED TO GIVE CONSIDERATION TO IMPROVEMENTS IN THE INTERNATIONAL FRAMEWORK FOR THE CONDUCT OF WORLD TRADE WHICH MIGHT BE DESIRABLE IN THE LIGHT OF PROGRESS IN THE NEGOTIATIONS AND IN THIS CONNECTION RECOMMENDS THAT CONSIDERATION BE GIVEN TO THE PROPOSAL FOR ESTABLISHING A GROUP TO DEAL WITH THE REFORM OF THE RELEVANT PROVISIONS OF THE REFORM OF THE RELEVANT PROVISIONS OF THE GATT INCLUDING PART IV, IN PARTICULAR IN ORDER TO PROVIDE ON A MANDATORY BASIS, FOR DIFFERENTIATED AND MORE FAVOURABLE TREATMENT IN FAVOUR OF DEVELOPING COUNTRIES, AND FOR THE EXTENSION OF THESE PRINCIPLES TO THE EXISTING CODES AND THOSE THAT MAY BE DRAWN UP;)

B.

12. RECOMMENDS THAT THE COUNTRIES PARTICIPATING IN THE MTNS GIVE SERIOUS CONSIDERATION TO THE FOLLOWING SPECIFIC ISSUES WHICH THE DEVELOPING COUNTRIES CONSIDER TO BE OF MAJOR IMPORTANCE: (A) (THE NEED TO ENSURE THAT THE FUNDAMENTAL PRINCIPLES AND OBJECTIVES OF THE TOKYO DECLARATION IN FAVOUR OF DEVELOPING COUNTRIES BE URGENTLY COMPLIED WITH IN THE COURSE OF THE MTNS;) (B) (IMMEDIATE ACTION ON THE SPECIFIC REQUESTS AND PROPOSALS OF DEVELOPING COUNTRIES, IN AREAS OF SPECIAL PRIORITY, BY THE MIDDLE OF 1976, AND THE IMPLEMENTATION OF THE AGREED CONCLUSIONS, FROM 1 JANUARY 1977.) (C) (ADVANCE IMPLEMENTATION OF CONCESSIONS IN FAVOUR OF DEVELOPING COUNTRIES;)

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(D) (THE BINDING IN GATT OF PREFERENTIAL TARIFF MARGINS;) (E) (IMMEDIATE ELIMINATION OR LIBERALIZATION OF QUANTITATIVE RESTRICTIONS AND OTHER NON-TARIFF BARRIERS AFFECTING EXPORTS OF DEVELOPING COUNTRIES. QUANTITATIVE RESTRICTIONS INCONSISTENT WITH THE PROVISIONS OF THE GATT APPLIED BY DEVELOPED COUNTRIES SHOULD BE ELIMINATED WITHOUT ANY DELAY;) (F) (RECOGNITION OF THE RIGHT OF DEVELOPING COUNTRIES TO ACCORD EXPORT SUBSIDIES IN THE CONTEXT OF THEIR DEVELOPMENT AND INDUSTRIALIZATION POLICIES WITHOUT GIVING RISE TO THE APPLICATIONS OF COUNTERVAILING DUTIES;) (G) (EXEMPTION OF THE DEVELOPING COUNTRIES; IN PRINCIPLE, FROM THE APPLICATION OF SAFEGUARD MEASURES;) (H) (THE BINDING OF COMMITMENTS AND CONCESSIONS IN THE NEGOTIATIONS)

TIATIONS IN FAVOUR OF DEVELOPING COUNTRIES;)

(I) (DEEPER-THAN-FORMULAR TARIFF CUTS FOR PRODUCTS OF INTEREST TO DEVELOPING COUNTRIES NOT INCLUDED IN THE FSP;)

(J) (EFFECTIVE COMPENSATION IN CASE OF THE EROSION OF PREFERENTIAL MARGINS RESULTING FROM THE MFN TARIFF CUTS;)

(K) (MORE FAVOURABLE TREATMENT IN THE APPLICATION OF GOVERNMENT PROCUREMENT POLICIES IN FAVOUR OF DEVELOPING COUNTRIES AS COMPARED WITH DEVELOPED COUNTRIES. DEVELOPED COUNTRIES SHOULD GIVE TO DEVELOPING COUNTRY SUPPLIERS TREATMENT NO LESS FAVOURABLE THAN THEY ACCORD TO THEIR DOMESTIC SUPPLIERS IN THE FIELD OF GOVERNMENT PROCUREMENT;)

C.

13. RECOMMENDS THAT:

(A) THE TRADE AND DEVELOPMENT BOARD AND ITS SUBSIDIARY BODIES CONCERNED FOLLOW CLOSELY THE DEVELOPMENTS AND ISSUES IN THE NEGOTIATIONS OF PARTICULAR CONCERN TO THE DEVELOPING COUNTRIES;

(B) THE SECRETARY-GENERAL OF UNCTAD IN CO-OPERATION WITH THE REGIONAL ECONOMIC COMMISSIONS CONTINUE TO GIVE NECESSARY TECHNICAL ASSISTANCE TO DEVELOPING COUNTRIES TO FACILITATE THEIR EFFECTIVE PARTICIPATION IN THE NEGOTIATIONS. THE UNDP SHOULD CONSIDER AS FAVOURABLY AS POSSIBLE THE STRENGTHENING OF ITS TECHNICAL ASSISTANCE PROJECT ON THE MTN.

(C) (IN LIGHT OF RESOLUTION 82 (III) AND IN CONFORMITY WITH AGREED ARRANGEMENTS THE SECRETARY-GENERAL OF UNCTAD SHOULD CONTINUE TO BE INVITED AS APPROPRIATE TO MEETINGS OF THE TRADE NEGOTIATIONS COMMITTEE AND ITS SUBSIDIARY BODIES AND TO RECEIVE RELEVANT DOCUMENTS IN AS TIMELY A MANNER AS POSSIBLE;)

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(APPROPRIATE ARRANGEMENTS BE MADE FOR THE CONTINUOUS ATTENDANCE OF THE SECRETARY-GENERAL OF UNCTAD IN THE MEETINGS OF THE TRADE NEGOTIATIONS COMMITTEE AND ITS SUBSIDIARY BODIES AND TO RECEIVE RELEVANT DOCUMENTS IN AS TIMELY A MANNER AS POSSIBLE. THE SECRETARY-GENERAL OF UNCTAD SHOULD ALSO PROMOTE CONSULTATIONS AND EXCHANGES OF VIEWS AMONG DEVELOPING COUNTRIES WITH A VIEW TO ASSISTING THEM AND BE PROVIDED WITH ADEQUATE RESOURCES FOR THIS TASK;)

(REVIEW IN LIGHT OF RESOLUTION 82 (III) AND THE DEVELOPMENTS IN THE TRADE NEGOTIATIONS THE ARRANGEMENTS CONCERNING THE ATTENDANCE OF THE SECRETARY-GENERAL OF UNCTAD IN THE MEETINGS OF THE TRADE NEGOTIATIONS COMMITTEE AND ITS SUBSIDIARY BODIES AND RECEIPT OF RELEVANT DOCUMENTS IN AS TIMELY A MANNER AS POSSIBLE.)
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04 MAY 2006

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